

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

In Re Application Of:

CARLOS VITERI, )  
vs. )  
Petitioner, )  
vs. ) Case No. 08 CV 50031  
GABRIELLA MARIA PFLUCKER, ) Judge Kapala  
vs. ) Magistrate Judge Mahoney  
Respondent. )  
)

**PETITIONER'S STATUS REPORT SUBMITTED IN ACCORDANCE WITH THE  
MARCH 13, 2008 ORDER**

NOW COMES Petitioner, CARLOS VITERI ("Petitioner"), by his attorneys, Rosa M. Tumialán and Katharine N. Dunn of Dykema Gossett PLLC, and in compliance with this Court's March 13, 2008 order [DE 9], provides the following status report:

1. The parties appeared for presentation of the Petition for Return on March 18, 2008. The matter was continued to March 21, 2008 for an evidentiary hearing. [DE 10]. Petitioner filed a brief in support of his petition on March 20, 2008. [DE 12, 13].
2. On March 21, 2008, Respondent requested and was granted leave to respond to Petitioner's brief to and including March 31, 2008. Petitioner was to file a reply on or before April 7, 2008. The Court set an evidentiary hearing for April 30, 2008. [DE 15].
3. Respondent filed an answer to the petition on March 31, 2008. [DE 16]. She also filed a motion to dismiss for lack of subject matter jurisdiction. [DE 18, 19, 20]. This motion is noticed for April 4, 2008. [DE 20].
4. Counsel for Petitioner is presently investigating the possibility of enlisting this Court's assistance in securing relief for Petitioner from a Peruvian court order preventing him

from traveling outside of Peru. It is counsel's understanding that an order from this Court would not be appropriate based on her communications with the National Center for Missing and Exploited Children and the United States State Department. Efforts to facilitate the Petitioner's travel to the United States continue.

5. Petitioner served written discovery on Respondent on March 25, 2008.

6. The parties agreed to and submit the following briefing schedule on Respondent's motion to dismiss: Petitioner to respond by April 14, 2008; Respondent to file a reply by April 21, 2008.

Dated: April 1, 2008

Respectfully submitted,

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*s/ Rosa M. Tumialán*

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One of the Attorneys for Petitioner,  
Carlos Viteri

**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2008, I electronically filed the foregoing **Status Report**, with the Clerk of the Court using the ECF system, which sent electronic notification of the filing on the same day to all counsel of record. I also caused to be delivered via electronic delivery a copy of the foregoing to Respondent's counsel, Bob Fagan at [fagan@prodigy.net](mailto:fagan@prodigy.net)

*s/ Rosa M. Tumialán*  

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